

8-333AC24

No.
 Date DEC 29 1978
 Fee \$10.⁰⁰
 ICC Washington, D. C.

RECORDATION NO. 9897A Filed 1425
 DEC 29 1978-9 05 AM
 INTERSTATE COMMERCE COMMISSION



December 28, 1978

The Acting Secretary
 Interstate Commerce Commission
 Washington, D. C. 20423

Dear Sir:

Consent and Acknowledgement

Will you please record, as provided in 49 U.S.C. § 11303, the Release, ~~and Assignment~~ dated as of December 28, 1978, releasing and assigning certain rights under a Conditional Sale Agreement dated as of November 29, 1978, under recordation number 9897, between the parties set forth below. Five counterpart originals of the document are enclosed with this letter of transmittal, along with a check which includes the \$10 filing fee for this document.

The information required for such recordation by order of the Interstate Commerce Commission is as follows:

Section 1116.4(b). The names and addresses of the parties to the transaction:

Vendor - Bethlehem Steel Corporation
 Bethlehem, Pennsylvania 18016

Purchaser - ITEL Corporation
 Two Embarcadero Center
 San Francisco, California 94111

Section 1116.4(c). Description of the equipment:

<u>No. of Units</u>	<u>Road Numbers</u>	<u>Description</u>	<u>A.A.R. Mechanical Designation</u>
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See Schedule A

ONE EMBARCADERO CENTER
 SAN FRANCISCO
 CALIFORNIA 94111
 (415) 955-0000

RECEIVED
 DEC 29 8 58 AM '78
 I.C.C.
 FEE OPERATION BR.

C. Dunlop

Section 1116.4(e). Conditional Sale Agreement dated as of *November 29, 1978*, was filed with the Interstate Commerce Commission at *2:30 A.M.* on *December 11, 1978*, and assigned recordation number *9897*.

Four counterpart originals of the document being recorded should be stamped and returned to the person delivering this letter. *Also stamp the extra copy of this letter of transmittal.*

Very truly yours,

Edward P. Schneider

Edward P. Schneider

Title: *Vice-President, Treasurer*

*Intel Corporation,
Rail Division*

Encls.

2

Schedule A

<u>Type</u>	<u>Quantity</u>	<u>Numbers</u>
70-ton, 89'4" flatcars	45	PW105214; PW105215; PW105223; PW105233 to PW105235; PW105241; PW105245; PW105247; PW105250 to PW105254; PW105265; PW105276; PW105278 to PW105280; PW105288; PW105289; PW105291; PW105293; PW105300; PW105301; PW105312; PW105315; PW105318; PW105323; PW105325; PW105330; PW105332; PW105336; PW105339; PW105340; PW105345; PW105347 to PW105354; PW105363, All Inclusive.

Interstate Commerce Commission

Washington, D.C. 20423

12/29/78

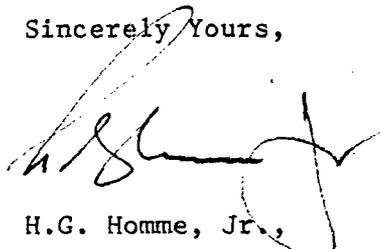
OFFICE OF THE SECRETARY

Edward P. Schneider
Iitel Corporation
Two Embarcadero Center
San Francisco, Calif. 94111

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 20(c) of the Interstate Commerce Act, 49 U.S.C. 20(c), on 12/29/78 at 9:05am, and assigned recordation number(s) 9800-B, 9827-A, 9852-A, 9855-A, 9881-A, 9897-A

Sincerely Yours,



H.G. Homme, Jr.,
Secretary

Enclosure(s)

SE-30-T
(2/78)

RELEASE, CONSENT AND ACKNOWLEDGEMENT DEC 29 1978-9 05 AM

INTERSTATE COMMERCE COMMISSION

In consideration of the sum of \$1.00 and other valuable consideration, the receipt and adequacy of which is hereby acknowledged, Bethlehem Steel Corporation, a Delaware corporation (the "Manufacturer"), the Manufacturer under an Agreement dated as of November 29, 1978 (the "Agreement"), with ITEL Corporation, a Delaware corporation acting through its Rail Division ("ITEL"), hereby:

1. Acknowledges receipt of payment for the first ⁴⁵~~100~~ railroad flat cars, numbered ~~105200 to 105300, both inclusive~~ (the "Cars"), covered by the Agreement. See Schedule A hereto.
2. Consents to the filing of this instrument with the Interstate Commerce Commission for the purpose of demonstrating that title to the Cars is being transferred to ITEL on the date hereof as contemplated by the Agreement and as confirmed below.
3. Confirms that simultaneously with the delivery to ITEL of this instrument there is being delivered to ITEL a bill of sale dated the date hereof transferring to ITEL the right, title and interest of Bethlehem in and to the Cars.

IN WITNESS WHEREOF, the Manufacturer has caused this instrument to be duly executed as of the 28th day of December 1978.

BETHLEHEM STEEL CORPORATION

ATTEST:
R.A. Masters
Assistant Secretary

By *David Alamo, IV*
Vice President

COMMONWEALTH OF PENNSYLVANIA)) SS:
COUNTY OF LEHIGH)

On this 28th day of December 1978, before me personally appeared *David Alamo, IV*, to me personally known, who, being by me duly sworn, says that he is a Vice President of BETHLEHEM STEEL CORPORATION, that the seal affixed hereto is the corporate seal of said corporation, that this instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and he acknowledged that the execution of this instrument was the free act and deed of said corporation.

(Notarial Seal)

Ethel H. Vary
Notary Public

My Commission expires
My Commission Expires
July 17, 1982
City of Bethlehem
Lehigh County

Schedule A

<u>Type</u>	<u>Quantity</u>	<u>Numbers</u>
70-ton, 89'4" flatcars	45	PW105214; PW105215; PW105223; PW105233 to PW105235; PW105241; PW105245; PW105247; PW105250 to PW105254; PW105265; PW105276; PW105278 to PW105280; PW105288; PW105289; PW105291; PW105293; PW105300; PW105301; PW105312; PW105315; PW105318; PW105323; PW105325; PW105330; PW105332; PW105336; PW105339; PW105340; PW105345; PW105347 to PW105354; PW105363, All Inclusive.